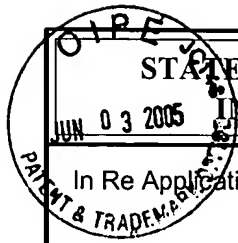


JPW



**STATEMENT UNDER 37 CFR 1.97(e) ACCOMPANYING  
INFORMATION DISCLOSURE STATEMENT**

Docket No.  
UC03-118-3

In Re Application Of: **PEIDONG YANG et al.**

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/731,745	12/08/2003		8156	1762	5099

Invention: **SACRIFICIAL TEMPLATE METHOD OF FABRICATING A NANOTUBE**

COMMISSIONER FOR PATENTS:

This is a statement under the provisions of 37 CFR 1.97(e) in the above-identified application.


Check applicable statement herebelow:

Statement Under 37 CFR 1.97(e)(1)

- ☒ Each item of information contained in the accompanying Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.

Statement Under 37 CFR 1.97(e)(2)

- ☐ No item of information contained in the accompanying Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned person, after making reasonable inquiry, no item of information contained in the accompanying Information Disclosure Statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.


  
Signature

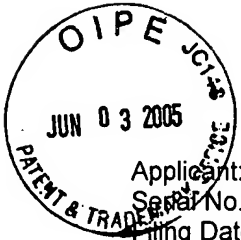
Dated: **MAY 31, 2005**

**JOHN P. O'BANION**  
**O'BANION & RITCHEY LLP**  
**400 CAPITOL MALL, SUITE 1550**  
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Signature of Person Mailing Correspondence	
<b>JOHN P. O'BANION</b>	
Typed or Printed Name of Person Mailing Correspondence	



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: PEIDONG YANG et al.  
Serial No.: 10/731,745  
Filing Date: December 8, 2003  
Title: SACRIFICIAL TEMPLATE METHOD OF FABRICATING A NANOTUBE  
Group: 1762  
Examiner:  
Docket No.: UC03-118-3  
Cust. No.: 8156

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

**Section 1. Preliminary Statements**

Applicants submit herewith patents, publications or other information of which they are aware, which they believe may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 CFR 1.56.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 CFR 1.56(g)), an admission that the information cited is, or is considered to be, material to patentability or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

**Section 2. Form PTO/SB/08A-PTO/SB/08B (substitute for Form 1449)**

FORM PTO/SB/08A-PTO/SB/08B IS BEING SUBMITTED HEREWITH IN 1 PAGE(S).

**Section 3. Copies of Listed Information Items Accompanying This Statement**

Legible copies of all items listed accompany this information disclosure statement are enclosed, except for U.S. patents and published applications.

**Section 4. Signature of Attorney**

Dated:

5/31/05

  
SIGNATURE OF ATTORNEY

John P. O'Banion, Reg. No. 33,201  
O'BANION & RITCHEY LLP  
400 Capitol Mall, Suite 1550  
Sacramento, CA 95814  
(916) 498-1010

**CERTIFICATION UNDER 37 CFR 1.8**

I hereby certify that the foregoing:

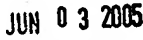
Information Disclosure Statement (1 page)

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JOHN P. O'BANION

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Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Substitute for form 1449/PJ

*(Use as many sheets as necessary)*

**Complete if Known**

Sheet	1	of	1
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[illegible][illegible]

**Examiner  
Signature**

Date  
Considered

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

*If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.*



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